

The PRESIDENT pro tempore. The question is on agreeing to the motion to concur with amendment No. 6552, as amended.

The yeas and nays are requested.

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), and the Senator from North Dakota (Mr. CRAMER).

The result was announced—yeas 68, nays 29, as follows:

[Rollcall Vote No. 421 Leg.]

YEAS—68

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Romney
Blumenthal	Hirono	Rosen
Blunt	Inhofe	Rounds
Booker	Kaine	Sanders
Boozman	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Capito	Leahy	Shelby
Cardin	Lujan	Sinema
Carper	Manchin	Smith
Casey	Markey	Stabenow
Collins	McConnell	Tester
Coons	Menendez	Thune
Cornyn	Merkley	Van Hollen
Cortez Masto	Moran	Warner
Cotton	Murkowski	Warnock
Duckworth	Murphy	Warren
Durbin	Murray	Whitehouse
Feinstein	Ossoff	Wicker
Gillibrand	Padilla	Wyden
Graham	Peters	Young
Hassan	Portman	

NAYS—29

Blackburn	Hawley	Risch
Braun	Hoeben	Rubio
Cassidy	Hyde-Smith	Sasse
Crapo	Johnson	Scott (FL)
Cruz	Kennedy	Scott (SC)
Daines	Lankford	Sullivan
Ernst	Lee	Tillis
Fischer	Lummis	Toomey
Grassley	Marshall	Tuberville
Hagerty	Paul	

NOT VOTING—3

Barrasso	Burr	Cramer
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The PRESIDENT pro tempore. On this vote, the yeas are 68, the nays are 29.

Under the previous order requiring 60 votes for the adoption of the motion to concur in the House amendment to the Senate amendment No. 4 with an amendment No. 6552, the motion is agreed to.

The motion was agreed to.

The PRESIDENT pro tempore. The Senator from Oregon.

MORNING BUSINESS

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SHIREEN ABU AKLEH

Mr. LEAHY. Mr. President, the 11th of December marked the 6-month anni-

versary of the violent death of widely respected Palestinian-American journalist Shireen Abu Akleh. On May 19, I echoed Secretary of State Blinken's call for an "independent, credible investigation" of her killing. At that time, several Members of Congress called for the FBI to be involved, as did I. That would be appropriate after a tragedy like this involving an American citizen killed overseas under questionable circumstances. Secretary Blinken later said, and I agree, that "[w]hen that investigation happens, we will follow the facts, wherever they lead. It's as straightforward as that."

Unfortunately, there has been no independent, credible investigation, at least not yet. Three months ago, the Israeli Government, after first blaming the Palestinians for Ms. Abu Akleh's death, stated that she was likely shot, by mistake, by an unnamed Israeli soldier. The U.S. Security Coordinator—USSC—also stated, at the time, that gunfire from Israeli Defense Force—IDF—positions was likely responsible, but that there was "no evidence to indicate her killing was intentional." The State Department acknowledges that conclusion was not the result of an investigation, but rather a review of information they were provided by the IDF and the Palestinian Authority. We were told that "the Administration continues to believe that cooperation among Israel, the Palestinian Authority, and the USSC is the best path to support a thorough, transparent, and impartial investigation."

Neither the Palestinian Authority nor the IDF can be relied on to objectively determine and make public all the facts of what happened in this case—nor have they. For the State Department to assert, prematurely, that fatally shooting an unarmed person, and in this case one with "PRESS" written in bold letters on her clothing, was not intentional, without providing any facts to support that conclusion, calls into question the Department's commitment to an independent, credible investigation and to "follow the facts, wherever they lead."

Before I was elected to the Senate, I was a prosecutor. I know a thing or two about homicide investigations, having participated in many. There are intentional, reckless, negligent, and justifiable or excusable homicides. Six months after Ms. Abu Akleh's death, key questions remain unanswered, including:

What specific evidence was the basis for the conclusion that "there is no reason to believe that this was intentional but rather the result of tragic circumstances?" Has everyone—the IDF personnel, Al Jazeera employees, and any others—who were in the proximity at the time of her death been questioned, and if so by whom?

What, specifically, were the "tragic circumstances" the State Department referred to?

Was the soldier who likely fired the fatal shot a trained marksman? Was he

looking through a scope? Was there anything obstructing his vision? If he did not intend to kill Ms. Abu Akleh, what did he intend? Did he have reason to believe that the shot would injure or kill her?

Were the rifle and ammunition he used, or the armored personnel vehicle he was reportedly inside or shielded behind when he fired the fatal shot, supplied by the United States? What IDF unit was he a member of? Is he still a member of the IDF? If so, is he on active duty?

If, as the Israeli authorities may be implying, the IDF soldier missed, who or what he was aiming at and killed Ms. Abu Akleh by mistake, who or what was he aiming at?

There are reports of earlier exchanges of gunfire, although not in the immediate vicinity where Ms. Abu Akleh was standing and not at the time she was shot. Is there any evidence that the shots that killed her and injured Ali Sammoudi, another unarmed Al Jazeera journalist, were fired as a legitimate act of self-defense?

How many shots were fired, and were they all fired by the same soldier? Have any other bullets been recovered, including the one that injured Mr. Sammoudi?

On July 5, the State Department spokesperson said, "We would want to see accountability in any case of a wrongful death. That would especially—and is especially the case in the wrongful death of an American citizen, as was Shireen Abu Akleh." Has anyone been held accountable, and if so, in what manner? What steps does the Department plan to take to ensure such accountability? What steps has the Department taken to determine whether the Leahy Law applies in this case?

Imagine if Shireen Abu Akleh were your sister—or your aunt—or your daughter. Wouldn't you be asking these questions and expect answers? Six months after her death, shouldn't we already know the answers?

Recently, it was reported that the FBI has opened an investigation in this case. I welcome that decision. The Israeli authorities immediately announced they would not cooperate with the FBI. I hope they reconsider, especially given that this involves the untimely death of an American citizen by the actions of a soldier of a country that receives by far the largest amount of U.S. military training and equipment. I have voted for that aid because I believe we should help Israel defend itself, especially with Iran financing anti-Israel terrorist groups and regularly calling for Israel's annihilation. But that does not prevent me from asking relevant questions and calling for a thorough, independent investigation of the violent death of an American journalist, likely by an IDF soldier. In fact, it compels me to do so.

There is an increasing foreboding that, as in so many other cases and like the murder of Jamal Khashoggi, there will never be the independent,